

AMENDED IN ASSEMBLY APRIL 14, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1502

Introduced by Assembly Member Salinas

February 22, 2005

An act to ~~relating to child custody~~ add Section 3150.5 to the Family Code, relating to family law.

LEGISLATIVE COUNSEL'S DIGEST

AB 1502, as amended, Salinas. Family ~~courts: custody: law proceedings: San Benito County pilot project.~~

Existing law provides for appointment of investigators and child custody evaluators in contested family law proceedings in which child custody or visitation is in dispute.

This bill would create in San Benito County, until January 1, 2009, a pilot project in which a family law court would appoint an attorney and a multidisciplinary team of professionals who shall support the attorney to represent the best interests of a child in family law matters when the custody of the child is in dispute and either one party to the action has accused the other party of domestic violence or there are allegations of child abuse by one of the parties against the child who is the subject of the custody dispute, as specified.

~~Existing law governs proceedings to determine the custody of a child.~~

~~This bill would express the intent of the Legislature to establish a multidisciplinary team of experts to assist the family court in child custody cases involving domestic violence and child abuse.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. It is the intent of the Legislature to establish a multidisciplinary team of experts to assist the family court in child custody cases involving domestic violence and child abuse.~~

SECTION 1. Section 3150.5 is added to the Family Code, to read:

3150.5. (a) There is hereby created in San Benito County a pilot project in which a family law court shall appoint an attorney and a multidisciplinary team of professionals who shall support the attorney to represent the best interests of a child in family law matters when the custody of the child is in dispute and either one party to the action has accused the other party of domestic violence or there are allegations of child abuse by one of the parties against the child who is the subject of the custody dispute.

(b) The multidisciplinary team shall be assembled by a nonprofit organization and appointed by the court. The multidisciplinary team shall include professionals who shall meet minimum experience and training criteria established by the nonprofit organization. The team shall include a paralegal, a psychologist, an investigator, a social worker, a counselor or therapist, and a medical professional each of whom shall have experience in assessing and presenting evidence on child abuse and domestic violence. Each member of the team shall be deemed to be and shall be appointed as a court-appointed investigator within the meaning of Section 3110 and as an expert pursuant to Section 730 of the Evidence Code.

(c) The multidisciplinary team shall investigate and present evidence supporting the investigation into the issue of the child's best interest as it relates to the allegations of child abuse and domestic violence.

(d) The pilot project shall include a research component that shall result in the creation of a protocol and a policy that may be implemented in other counties throughout the state.

(e) All funding for the pilot project shall be obtained from fees imposed upon the parties to any action in San Benito County to which this section applies or from private, nonprofit organizations. There shall be no cost to the county for the implementation of this pilot project.

1 *(f) This section shall remain in effect only until January 1,*
2 *2009, and as of that date is repealed, unless a later enacted*
3 *statute, that is enacted before January 1, 2009, deletes or extends*
4 *that date.*

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